



Paper No. 9

COPY MAILED

APR 23 1998

**OFFICE OF PETITIONS
A/C PATENTS**

DANIEL L. DAWES
5252 KENILWORTH DRIVE
HUNTINGTON BEACH, CA 92649

In re Application of
Guido Guglielmi et al
Application No. 08/647,114
Filed: May 9, 1996
Attorney Docket No. M203D-d

:
:
:
:
:
:

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 13, 1998, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office action mailed April 21, 1997. A Notice of Abandonment was mailed on November 28, 1997.

This petition was filed under the revival rules in effect as of December 1, 1997. *Note Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131 (October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997).* Therefore, the statement of unintentional delay does not comply with the provisions of 37 CFR 1.137(b)(3) in effect as of December 1, 1997. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant 37 CFR 1.137(b) was unintentional." If this is an incorrect interpretation in view of the new rules, petitioner is required to provide a statement to that effect.

This application is being forwarded to Technology Center 3700.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-8680.

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects